

**CONGRATULATORY RESOLUTIONS**

- H.C.R. 108** - (Sims): Honoring Dr. Jack W. Humphries.
- S.R. 235** - By McFarland: Commending Mrs. Willie Mae McCormick.
- S.R. 236** - By Leedom: Commending Wendy Christine Kennedy.
- S.R. 237** - By Leedom: Extending congratulations to Mrs. Ella White Robertson.
- S.R. 238** - By Leedom: Commending David Edward Kennedy.
- S.R. 239** - By Leedom: Commending Ginger Elaine Kennedy.
- S.R. 240** - By Uribe: Commending the Gladys Porter Zoo in Brownsville.
- S.R. 241** - By Uribe: Extending congratulations to Mrs. Flavia E. Orason.

**ADJOURNMENT**

On motion of Senator Brooks, the Senate at 12:13 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

**FORTY-FOURTH DAY**  
(Wednesday, March 27, 1985)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Harris, Henderson, Howard, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire, Williams.

Absent: Washington.

Absent-excused: Glasgow.

A quorum was announced present.

Mr. Weldon Miller of Mount Pleasant offered the invocation as follows:

Our Father, we are grateful indeed for this great country in which we live, for this great State. We pray that You would be with the Members of this body this morning as they deliberate. We pray that their decisions might be wise. We ask Your continued blessings upon us, and we ask for forgiveness of our sins. In Jesus' name we pray.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVE OF ABSENCE**

Senator Glasgow was granted leave of absence for today on account of important business on motion of Senator Farabee.

## MESSAGE FROM THE HOUSE

House Chamber  
March 27, 1985

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 123**, Relating to the number of election clerks required to be appointed for county election precincts.

**H.B. 525**, Relating to the offense of unlawful carrying of weapons on certain premises where alcoholic beverages are served or sold.

**H.B. 724**, Relating to certain taxes collected under the workers' compensation laws.

**H.B. 4**, Relating to the requirement that certain hospitals furnish information to the state cancer registry.

**H.C.R. 136**, Congratulating Justice Robert B. Maloney on being recommended for appointment to a federal judgeship.

**S.B. 34**, Relating to the regulation of health spa services.

**S.B. 424**, Relating to the effect of payment of unemployment compensation benefits to a person who receives an award of back pay and the liability of an employer.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

## ANNOUNCEMENT BY PRESIDENT

The President informed the Senate of the death this morning of former Lieutenant Governor Ben Ramsey.

He stated that funeral details would be announced at a later time and that when the Senate recessed today, it would do so in memory of Governor Ramsey.

## REPORTS OF STANDING COMMITTEES

Senator Traeger submitted the following report for the Committee on Intergovernmental Relations:

**S.B. 830**  
**S.B. 641** (Amended)  
**S.B. 622**  
**S.B. 1090**  
**S.B. 783**  
**S.B. 705**  
**S.B. 784** (Amended)  
**S.B. 788** (Amended)

Senator Caperton submitted the following report for the Committee on Criminal Justice:

**H.B. 8** (Amended)  
**S.B. 986** (Amended)  
**C.S.S.B. 37**

Senator Mauzy submitted the following report for the Committee on Jurisprudence:

S.C.R. 71  
 S.C.R. 80  
 S.C.R. 81  
 S.B. 701  
 S.B. 856  
 C.S.S.B. 175  
 C.S.S.C.R. 70  
 C.S.S.B. 831

Senator Howard submitted the following report for the Committee on Nominations:

We, your Committee on Nominations, to which were referred the attached appointments, have had same under consideration, and beg to report them back to the Senate for final consideration.

To be a Member of the STATE COMMISSION FOR THE BLIND: Robert Peters, Ph.D., Smith County.

To be Members of the LOWER COLORADO RIVER AUTHORITY: Burton B. LeTulle, Matagorda County; Cecil B. Long, Bastrop County; Jack B. Miller, San Saba County.

To be Members of the TEXAS PARKS AND WILDLIFE COMMISSION: Robert L. Armstrong, Travis County; Antonio R. Sanchez, Jr., Webb County.

To be Members of the BOARD OF DIRECTORS, TEXAS HOUSING AGENCY: W. E. Daniels, Harris County; Richard Jordan, Travis County; Arthur Navarro, Travis County.

To be Members of the CENTRAL COLORADO RIVER AUTHORITY: Baker Rudolph, Coleman County; Jim Bob Thweatt, Coleman County; Roy D. Young, Coleman County.

To be Members of the DAIRY ADVISORY BOARD: Wilbur E. Blythe, Tarrant County; Ms. Dymple C. Cooksey, Harris County.

To be Members of the STATE COMMISSION ON JUDICIAL CONDUCT: (Appointed by the Supreme Court of Texas): Judge J. Ray Kirkpatrick, Harrison County; Judge Elinor Walters, Harris County.

To be CHAIRMAN, STATEWIDE HEALTH COORDINATING COUNCIL: Dr. Marion R. Zetzman, Dallas County.

To be JUDGE, 39th JUDICIAL DISTRICT, Haskell, Kent, Stonewall and Throckmorton counties: Charles Chapman, Haskell County.

#### REPORTED UNFAVORABLY

To be a Member of the LOWER COLORADO RIVER AUTHORITY: Robert Mica, Fayette County.

#### **SENATE BILLS AND RESOLUTION ON FIRST READING**

On motion of Senator Blake and by unanimous consent, the following bills and resolution were introduced, read first time and referred to the Committee indicated:

**S.B. 1289** by Blake State Affairs  
Relating to the types of motor vehicles for which special devices for parking by disabled persons may be issued.

**S.B. 1290** by Edwards State Affairs  
Relating to the creation, establishment, administration, powers and duties of the Texas Emergency Economic Opportunity Fund.

**S.B. 1291** by Sharp State Affairs  
Relating to the annual registration of buses used exclusively for the transportation of members of certain organizations.

**S.B. 1292** by Caperton Criminal Justice  
Relating to habeas corpus appeals and discretionary review in cases involving extradition or the setting or reduction of bail; amending Article 44.38, Code of Criminal Procedure, 1965, as amended.

**S.B. 1293** by Brooks Education  
Relating to the operation of public school educational programs at The University of Texas Medical Branch at Galveston; amending Chapter 74, Texas Education Code; and declaring an emergency.

**S.B. 1294** by Brooks Health and Human Resources  
Relating to the definition of "interdisciplinary team" and the duties of the Public Responsibility Committee with respect to the team; amending the Mentally Retarded Persons Act of 1977 (Article 5547-300, Vernon's Texas Civil Statutes) by adding Subdivision (27) to Section 3 and by amending Subsection (a) of Section 56.

**S.C.R. 96** by Truan Natural Resources  
Establishing the Joint Interim Committee on the Texas Shrimp Industry.

#### HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

**H.B. 632**, To Committee on Criminal Justice.

#### CO-AUTHOR OF SENATE BILL 526

On motion of Senator Parmer and by unanimous consent, Senator Truan will be shown as Co-author of **S.B. 526**.

#### SENATE RESOLUTION 229

Senator Barrientos offered the following resolution:

WHEREAS, The death of Thomas J. "T. J." Gibson III, associate professor emeritus and associate dean of students at The University of Texas School of Law, on March 7, 1985, has deeply saddened the many people who knew and admired this fine gentleman; and

WHEREAS, Professor Gibson received his bachelor of arts degree in 1939 and his law degree in 1948 from The University of Texas; during World War II, this patriotic individual honorably served his country as a member of the United States Navy; and

WHEREAS, Prior to his appointment as assistant dean of students in 1956, Professor Gibson served as a state librarian for the State of Texas and as an assistant librarian for The University of Texas; and

WHEREAS, This highly esteemed educator was especially popular with the students at UT Law School, who nicknamed him "Thunderjets"; the Student Bar Association twice dedicated its annual law week to him and the UT Law School Association and alumni organization named him 1984 Outstanding Alumnus; and

WHEREAS, The exemplary personal qualities of this outstanding Texan have been an inspiration to all who knew him, and he will be remembered with fondness and respect; now, therefore, be it

RESOLVED, That the Senate of the 69th Legislature of the State of Texas pay tribute to the life of Thomas J. "T. J." Gibson III and extend deepest sympathy to the members of his family: to his wife, Margaret Gibson; to his son, James Gibson; to his daughters, Sara Carlson and Janela Gibson; and to his three grandchildren; and, be it further

RESOLVED, That official copies of this resolution be prepared for the family members and that when the Texas Senate adjourns this day, it do so in memory of Professor Gibson.

BARRIENTOS  
BROWN

The resolution was read and was adopted by a rising vote of the Senate.

On motion of Senator Krier and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

#### **GUESTS PRESENTED**

Senator Barrientos escorted members of Mr. Gibson's family to the President's rostrum.

The President presented Mrs. Gibson with an enrolled copy of S.R. 229.

#### **SENATE RESOLUTION 242**

Senator Sarpalius offered the following resolution:

**S.R. 242**, Recognizing David Smith for his outstanding contributions to the State of Texas and to the agriculture industry of Texas.

The resolution was read and was adopted.

#### **GUESTS PRESENTED**

Senator Sarpalius escorted Mr. Smith and his family to the President's rostrum.

The President presented Mr. Smith an enrolled copy of S.R. 242.

#### **BILLS SIGNED**

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills:

**S.B. 380**  
**S.B. 329**

#### **CONFERENCE COMMITTEE REPORT** **SENATE BILL 33**

Senator Farabee submitted the following Conference Committee Report:

Austin, Texas  
March 27, 1985

Honorable William P. Hobby  
President of the Senate

Honorable Gibson D. "Gib" Lewis  
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S.B. 33 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

FARABEE  
McFARLAND  
CAPERTON  
MAUZY  
SHARP

On the part of the Senate

MESSER  
McKENNA  
WRIGHT  
DANBURG  
SAUNDERS

On the part of the House

**A BILL TO BE ENTITLED  
AN ACT**

relating to the transfer of human organs for valuable consideration and to offers to make such transfers; defining an offense and providing for a penalty; adding a new Section 48.02 to Chapter 48, Penal Code.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 48, Penal Code, is amended by adding a new Section 48.02 to read as follows:

"Section 48.02. PROHIBITION OF THE PURCHASE AND SALE OF HUMAN ORGANS. (a) 'Human organ' means the human kidney, liver, heart, lung, pancreas, eye, bone, skin, fetal tissue, or any other human organ or tissue, but does not include hair or blood, blood components (including plasma), blood derivatives, or blood reagents.

"(b) A person commits an offense if he or she knowingly or intentionally offers to buy, offers to sell, acquires, receives, sells, or otherwise transfers any human organ for valuable consideration.

"(c) It is an exception to the application of this section that the valuable consideration is: (1) a fee paid to a physician or to other medical personnel for services rendered in the usual course of medical practice or a fee paid for hospital or other clinical services; (2) reimbursement of legal or medical expenses incurred for the benefit of the ultimate receiver of the organ; or (3) reimbursement of expenses of travel, housing, and lost wages incurred by the donor of a human organ in connection with the donation of the organ.

"(d) A violation of this section is a felony of the third degree."

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was filed with the Secretary of the Senate.

**SENATE RULE 103 SUSPENDED**

On motion of Senator Truan and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Natural Resources might consider S.C.R. 96 today.

**SENATE RULE 23 SUSPENDED**

On motion of Senator Traeger and by unanimous consent, Senate Rule 23, providing for reconsideration of a question having been decided, was suspended as it relates to **H.B. 443**.

**VOTE BY WHICH SENATE REFUSED TO ADOPT  
CONFERENCE COMMITTEE REPORT ON  
HOUSE BILL 443 RECONSIDERED**

On motion of Senator Kothmann and by unanimous consent, the vote by which the Senate refused to adopt the Conference Committee Report on **H.B. 443** was reconsidered.

Question - Shall the Conference Committee Report on **H.B. 443** be adopted?

**CONFERENCE COMMITTEE ON  
HOUSE BILL 443 DISCHARGED**

On motion of Senator Traeger and by unanimous consent, the Conference Committee on **H.B. 443** was discharged.

**CONFERENCE COMMITTEE APPOINTED  
ON HOUSE BILL 443**

Senator Traeger moved that a Conference Committee be appointed to adjust the differences between the two Houses on **H.B. 443**.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on **H.B. 443** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Traeger, Chairman; Kothmann, Krier, Sims and Sharp.

**SENATE BILL 106 WITH HOUSE AMENDMENT**

Senator Henderson called **S.B. 106** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.  
Committee Amendment - Hall

Substitute the following for **S.B. 106**:

**A BILL TO BE ENTITLED  
AN ACT**

relating to local regulation of certain sexually oriented business activities; providing penalties.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:**  
**SECTION 1.** Section 3, Chapter 229, Acts of the 66th Legislature, Regular Session, 1979 (Article 2372w, Vernon's Texas Civil Statutes), is amended by adding Subsection (a-1) and amending Subsection (b) to read as follows:

(a-1) A business is not exempt from regulation under this Act because it holds a license or permit under the Alcoholic Beverage Code authorizing the sale or service of alcoholic beverages. However, a regulation adopted under this Act may apply to a business that happens to hold such a license or permit only if the business meets the general criteria for regulation under this Act. A regulation adopted under this Act may not discriminate against a business on the basis of whether or not the

business holds a license or permit under the Alcoholic Beverage Code. This Act does not affect the existing preemption by the state of regulation of alcoholic beverages and the alcoholic beverage industry as provided by Section 1.06, Alcoholic Beverage Code.

(b) Nothing in this Act is intended to authorize the regulation of any bookstore or movie theatre, ~~[or business licensed to sell alcoholic beverages]~~, nor does this Act [it] authorize regulation of any business named in Subsection (a) of this section except as to location. This Act does not authorize regulation of any business:

(1) operated by or employing licensed psychologists, licensed physical therapists, licensed athletic trainers, licensed cosmetologists, or licensed barbers engaged in performing functions authorized under the license held; or

(2) operated by or employing licensed physicians or licensed chiropractors engaged in practicing the healing arts.

SECTION 2. Subsection (b), Section 5, Chapter 229, Acts of the 66th Legislature, Regular Session, 1979 (Article 2372w, Vernon's Texas Civil Statutes), is amended to read as follows:

(b) Violation of a city or county regulation adopted under this Act is a Class B misdemeanor.

SECTION 3. Subsection (c), Section 5, Chapter 229, Acts of the 66th Legislature, Regular Session, 1979 (Article 2372w, Vernon's Texas Civil Statutes), is repealed.

SECTION 4. (a) The change in law made by this Act as to punishment applies only to the punishment for an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before that date.

(b) The punishment for an offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Senator Henderson moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Santiesteban.

Absent: Washington.

Absent-excused: Glasgow.

#### GUESTS PRESENTED

Senator Jones was recognized and introduced Dr. Don B. Cauthen of Temple, the Capitol Physician for the Day.

Dr. Cauthen, accompanied by his wife, was welcomed by the Senate and received their appreciation for his service.



**NOTICE OF CONSIDERATION OF NOMINATIONS**

Senator Howard gave notice that he would tomorrow at the conclusion of Morning Call submit to the Senate for consideration nominations to agencies, boards and commissions of the State.

**NOTICE OF SESSION TO HOLD  
LOCAL AND UNCONTESTED BILLS CALENDAR**

Senator Blake announced that a Local and Uncontested Bills Calendar had been placed on the Members' desks and gave notice that a Local and Uncontested Bills Calendar would be held at 9:30 o'clock a.m. on Thursday, March 28, 1985, and that all bills and resolutions would be considered on second and/or third reading in the order in which they are listed.

**SENATE BILL 402 ON SECOND READING**

On motion of Senator Barrientos and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 402**, Relating to the authority of counties to issue certificates of obligation.

The bill was read second time and was passed to engrossment.

**SENATE BILL 402 ON THIRD READING**

Senator Barrientos moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 402** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Washington.

Absent-excused: Glasgow.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

**SENATE BILL 526 ON SECOND READING**

Senator Parmer moved to suspend the regular order of business to take up for consideration at this time:

**S.B. 526**, Relating to the creation, administration, funding, and review of and assistance to certain programs administered by the state or by nonprofit organizations for the relief of hunger or inadequate diet; and declaring an emergency.

The motion prevailed by the following vote: Yeas 24, Nays 5.

Yeas: Barrientos, Brooks, Caperton, Edwards, Farabee, Harris, Henderson, Howard, Kothmann, Krier, Lyon, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Traeger, Truan, Uribe, Whitmire, Williams.

Nays: Blake, Brown, Jones, Leedom, Sims.

Absent: Washington.

Absent-excused: Glasgow.

The bill was read second time.

Senator Parmer offered the following committee amendment to the bill:

## Committee Amendment No. 1

Amend **S.B. 526**, SECTION 1, Title II by changing "Section 5" to read as "Section 4" and by revising Section 3(2) to read as follows:

(2) to increase the number of program participants in those project areas where the percent of eligible persons served is less than the statewide average.

The committee amendment was read and was adopted.

Senator Parmer offered the following amendment to the bill:

## Floor Amendment No. 1

Amending **S.B. 526** by striking SECTION 4 of TITLE IV. EMERGENCY FOOD ASSISTANCE TO FAMILIES AND INDIVIDUALS. (SECTION 4, OFFICE HOURS PILOT PROGRAM, p. 11, line 15 through p. 12, line 11).

The amendment was read and was adopted.

On motion of Senator Parmer and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

**SENATE BILL 526 ON THIRD READING**

Senator Parmer moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 526** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 3.

Yeas: Barrientos, Brooks, Caperton, Edwards, Farabee, Harris, Henderson, Howard, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Whitmire, Williams.

Nays: Blake, Brown, Jones.

Absent: Washington.

Absent-excused: Glasgow.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 3. (Same as previous roll call)

**SENATE JOINT RESOLUTION 24 ON SECOND READING**

On motion of Senator Traeger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.J.R. 24**, Proposing a constitutional amendment in aid of turnpike (road) improvements in populous counties (over 400,000) and counties adjoining them.

The resolution was read second time and was passed to engrossment.

**SENATE JOINT RESOLUTION 24 ON THIRD READING**

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.J.R. 24** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Washington.

Absent-excused: Glasgow.

The resolution was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

#### **SENATE BILL 994 ON SECOND READING**

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 994**, Relating to appropriations to the Texas Department of Mental Health and Mental Retardation and transfers of funds to improve staff-to-client ratios in state mental hospitals and state schools and to make certain state contributions for employees; making appropriate amendments to the General Appropriations Act, Chapter 1095, Acts of the 68th Legislature, Regular Session, 1983.

The bill was read second time and was passed to engrossment.

#### **SENATE BILL 994 ON THIRD READING**

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 994** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Washington.

Absent-excused: Glasgow.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

#### **SENATE BILL 601 ON SECOND READING**

On motion of Senator Sarpalius and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 601**, Relating to the continuation, operations, powers, duties, and composition of the Texas Commission on Alcoholism; relating to involuntary treatment for alcoholism, treatment facilities, fees and funds; establishing a task force; enacting the Texas Alcoholism Services Act.

The bill was read second time and was passed to engrossment.

#### **SENATE BILL 601 ON THIRD READING**

Senator Sarpalus moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 601** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Washington.

Absent-excused: Glasgow.

The bill was read third and was passed.

**COMMITTEE SUBSTITUTE SENATE BILL 724 ON SECOND READING**

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 724**, Relating to the compensation and office of the county attorney of Milam County.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 724 ON THIRD READING**

Senator Caperton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 724** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Washington.

Absent-excused: Glasgow.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE SENATE BILL 356 ON SECOND READING**

Senator Williams moved to suspend the regular order of business to take up for consideration at this time:

**C.S.S.B. 356**, Relating to residency requirements for city employees.

The motion prevailed by the following vote: Yeas 21, Nays 8.

Yeas: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Harris, Henderson, Kothmann, Lyon, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Uribe, Whitmire, Williams.

Nays: Howard, Jones, Krier, Leedom, McFarland, Sims, Traeger, Truan.

Absent: Washington.

Absent-excused: Glasgow.

The bill was read second time and was passed to engrossment.

**RECORD OF VOTE**

Senator Truan asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**MOTION TO PLACE****COMMITTEE SUBSTITUTE SENATE BILL 356 ON THIRD READING**

Senator Williams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 356** be placed on its third reading and final passage.

The motion was lost by the following vote: Yeas 22, Nays 7. (Not receiving four-fifths vote of the Members present)

Yeas: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Harris, Henderson, Howard, Kothmann, Lyon, Mauzy, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Uribe, Whitmire, Williams.

Nays: Jones, Krier, Leedom, McFarland, Sims, Traeger, Truan.

Absent: Washington.

Absent-excused: Glasgow.

### MEMORIAL RESOLUTIONS

**S.R. 244** - By Montford: Memorial resolution for Dr. Dale P. Campbell.

**S.R. 245** - By Caperton: Memorial resolution for Mrs. Venus Marek Sharp.

### CONGRATULATORY RESOLUTIONS

**H.C.R. 136** - (Harris): Extending congratulations to Justice Robert B. Maloney.

**S.C.R. 95** - By Caperton: Expressing appreciation to Dr. Clare E. Gunn.

**S.R. 243** - By Montford: Commending Herbert Williford.

**S.R. 246** - By Caperton: Commending Dr. George Killinger.

### RECESS

On motion of Senator Brooks, the Senate at 12:15 o'clock p.m. took recess until 9:30 o'clock a.m. tomorrow.

### FORTY-FOURTH DAY

(Continued)

(Thursday, March 28, 1985)

### AFTER RECESS

The Senate met at 10:00 o'clock a.m. and was called to order by Senator Blake.

### SENATOR ANNOUNCED PRESENT

Senator Glasgow who had been previously announced as "Absent-excused" was announced "Present".

### LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Blake in Chair) announced that the time had arrived for consideration of the Local and Uncontested Bills Calendar.

The regular order of business having been suspended by provisions of **S.R. 8**, adopted by the 69th Legislature, the following bills/resolutions were laid before the Senate, read second time, passed to engrossment/third reading, read third time and passed: (Sponsor, vote on Constitutional Three-day Rule and final passage indicated after caption of each bill.)

**S.B. 362** (Caperton) Relating to the jurisdiction of the 82nd District Court and to the jurisdiction of the county courts in that judicial district. (30-1) Washington "Nay" (31-0)

**S.B. 419** (Krier) Relating to the application of the Texas Pharmacy Act to a pharmacy in an institution licensed under the Texas Mental Health Code. (30-1) Washington "Nay" (31-0)

**S.B. 593** (Williams) Relating to exempting members of the State military forces from drivers licensing requirements when operating official motor vehicles in performing military duties. (30-1) Washington "Nay" (31-0)